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Attorneys for Defendants  
Capital One F.S.B. (erroneously sued herein  
as “Capital One Healthcare Finance”) and  
CIT Bank (erroneously sued herein as “CIT  
Group Inc.”)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EDGAR LAVERDE,

Plaintiff,

-against-

CAPITAL ONE HEALTHCARE FINANCE, CIT  
GROUP INC.,

Defendants.

No.: 07-Civ-4838 (BSJ) (GWG)

ECF CASE

**Rule 7.1 Statement of Defendant  
CIT Bank (erroneously sued herein as  
“CIT Group Inc.”)**

Pursuant to Rule 7.1 of the Federal Rule of Civil Procedure, and to enable judges and magistrate judges of the court to evaluate possible disqualification or recusal, the undersigned counsel certifies that defendant CIT Bank, a Utah industrial bank, is a wholly owned subsidiary of CIT Group Inc., which is publicly traded.

Dated: New York, NY  
August 31, 2007

Respectfully submitted,

By: /s/ James M. Bergin  
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